

MINUTES OF SPECIAL TOWN MEETING

7:00 p.m., Wednesday, November 12, 2003

Present: Town Chair, Richard Grant, presiding; Clerk-Treasurer, Judy Ashford; and Mark Reitz, Attorney for the Town of Merrimac.

Grant called the Special Town Meeting to order and verified that the meeting had been properly noticed. Grant read the notice, which stated that petitioners had requested a Special Town Meeting to allow the electors of the town to consider a proposed purchase of Public Access #13. Fifty three electors attended the meeting.

Grant asked Reitz to explain the events leading up to the meeting. Reitz said that on April 25, 2003 the town received an offer to purchase a public access. At the May 6, 2003 town board meeting the board voted to refer the request to the town's attorney. Reitz said the town board does not have authority to sell property unless it is authorized by a town meeting. Electors in the number of not less than 10% of the voters in the most recent gubernatorial election must file a petition to hold such a meeting. Special town meetings are not town board meetings. The power of a town meeting is to grant to the town board the authority to dispose of public property. Only electors of the town may vote at a special town meeting.

Lisa Peetz then presented a motion that the town meeting authorize the board to sell Public Access #13 to Terry Frosch, Gary Schuster and Bill Kirchstein. Nathan Taylor seconded the motion. Grant stated that each person wishing to speak would be allowed three minutes. Approximately twenty of those present spoke, mostly in opposition to the sale for several reasons: lowering the value of backlots; once one is sold, all will be sold; accesses were put in public trust and should remain there; a bad precedent to sell an access; if selling the property should be put up for bid rather than considering only one offer. Someone questioned whether or not the DNR would have to approve of such a purchase. Grant said they would once the town meeting authorized a sale. Others spoke about the tax benefits to the town by selling the access since it would then be on the tax roll. Some asked why the potential buyers wanted to buy. Kirchstein and Frosch said they thought the proceeds of such a sale could be used by the town in the purchase of the Clingman property. There was discussion about whether or not there could be litigation if the property were sold because backlot owners would no longer have lake access. Reitz replied that unless the backlots had lake access guaranteed in their deeds, there would be no cause for litigation.

Grant then asked for a voice vote on the question. It was not clear how the voice vote went so Grant asked for a show of hands. The final vote was 21 in favor of the purchase and 30 opposed. McCumber motioned for adjournment. Solum seconded. Motion passed.

MINUTES OF THE TOWN BOARD MEETING

7:00 p.m., Tuesday, December 2, 2003

Present were Dick Grant, Chairman; Marsha Jones, Supervisor; Steve Peetz, Supervisor; Judy Ashford, Clerk-Treasurer and Tim McCumber, Deputy Clerk/Deputy Treasurer. Grant called the meeting to order and determined that it had been properly noticed. Grant moved, Jones seconded to approve the minutes of the November 4, 2003, meeting. Motion passed. Peetz moved, Jones seconded to accept the financial statements. Motion passed.

CITIZEN COMMENT

CORRESPONDENCE

The clerk read a letter from Wayne and Shirley Garfoot regarding the public accesses.

REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES

Grant reported road work for the year was complete. McCumber reported on donations to the Clingman property. He said the Capital Times had a nice article about the purchase as did the Baraboo News Republic and Sauk Prairie Eagle. \$6600 was received from the special mailing soliciting donations. The town has raised 89% of the purchase price and still needs about \$28,500

OLD BUSINESS

NEW BUSINESS

The Garfoot letter was discussed. Grant asked the clerk to send the results of the town meeting regarding the purchase of an access. Grant explained that he had met with the Garfoots several times and explained the pier permit policy to them. He referred them to the town's attorney but they never contacted him. A draft resolution regarding Smart Growth and public input into the town's comprehensive plan was discussed. Jones moved, Peetz seconded, to adopt the resolution.

ADJOURNMENT

Peetz moved to adjourn; Jones seconded. Motion passed.

Town Officers: Richard Grant, Chair, 493-2106; Marsha Jones, Supervisor, 644-0506; Steve Peetz, Supervisor, 493-2669; Judy Ashford, Clerk-Treasurer, 493-2588; Tim McCumber, Deputy Clerk/Deputy Treasurer and Zoning Administrator, 643-6332. **Assessor:** Steve Mahlik, Equity Appraisal, LLC, 608/826-0009. E-mail address: townmerr@merr.com. **Note: Building permits are required in the Town of Merrimac. Please contact any of the above listed people with questions.**